EDUCATION AND YOUTH SERVICES SECRETARIAT

Enquiry in respect of alteratfon of date of birth of Sri B. H. Benakatti, Lecturer in Chemistry, Government College, Kolar and now working at Government Science College, Bangalore-Issue of Orders-regarding.

READ :

1. Correspondence ending with letter No. DCE/7-NET/75-76 dated 26th July 1978 from the Director of Collegiate Education, Bangalore.

2. Enquiry report No. DDB. ENQ. Case No. 314/75 dated 5th February 1979 from the Solicitor & Ex-Officio Deputy Secretary to Government, Department of Law & Parliamentary Affairs and Enquiry Officer.

PREAMBLE :

Sri B H. Benakatti, Lecturer in Chemistry, Government College, Kolar, now working at Goverment Science College, Bangalore, appealed to Government stating that his date of birth as entered in the Service Register (i. e.) 5th June 1931 is not correct and that the same has to be corrected as 24th November 1932. His Appeal was examined under the provisions of Karnataka State Servants (Determination of Age) Act, 1974. The Enquiry Officer as per the provisions of the above Act, conducted a detailed enquiry on the appeal petition of Sri B. H. Benakatti In the course of the examination, the enquiry Officer has found that there are horoscopes of the petitioner's brothers and sisters but this witness has not chosen to produce those documents, so as to probabalise his case. The petitioner has made a statement that the Birth Register extract is not available in the Taluk Office or the Panchayat who has not taken any endorsement from the authorities saying the non entry of his date of birth in Birth Register. So the bald interested testimoney given by the petitioner does not infuse confidence. As a matter of fact the S·S C. Marks Card available in the Court reveals that his date of birth is 5th June 1931. The horoscope available does not bear either the signature of the Author or the date of writing. The applicant does not show whether this document has come into existence contemporarily with his birth. Even the affidavit produced herein cannot be relied upon as it is self-interested document. The authorities who entered his date of birth as 24th November 1932 appear to have gone much into the matter and therefore the Enquiry Officer felt that the Principal of the Government College Kolar has rightly altered his date of birth as 5th June 1931 on the strength of the S. S. C. Cetificate which is the oldest document available in the record. No other papers are available to prove and establish that he was born on 24th November 1932. Even the official has not chosen to examine any of his elder members of his village in corraboration to his testimony. Both oral and documentary adduced by him are self-interested and no legal value could be assigned to it. Hence, the application for correction of alteration of his date of birth as 24th November 1932 is liable to be rejected holding that the applicant has placed no satisfactory and sufficient evidence to establish that he was born on 24th Novemter 1932 and not on 5th June 1931. The Enquiry Officier has finally recommended that the application may be rejected.

ORDER No. ED 207 DCE 75 BANGALORE, DATED 20TH MARCH 1979

The Government of Karnataka have considered the report of the Enquiry Officer and are pleased to accept the advice of the said Enquiry Officer and direct that the application of Sri B. H. Benakatti, Lecturer in Chemistry, Government Science College, Bangalore, for correcting his date of birth as 24th November 1932 is rejected.

By Order and in the name of the Governor of Karnataka.

B. JANAKIRAMAN,
Under Secretary to Government,
Education and Youth Services Department.

SOCIAL WELFARE AND LABOUR SECRETARIAT

Constitution of Central Advisory Committee for the Juvenile Service Bureau Bangalore,

READ:—

G. O. No. SWL 328 SPL 78, dated 20th November 1978.

CORRIGENDUM

No. SWD 328, SPH 78 (1), BANGALORE, DATED 15/20TH MARCH 1979.

In the G O. read above, please substitute the words "The Chief Metropolitan Magistrate" Bangalore City for the words "The Judicial Magistrate (I Class) Bangalore appearing at Sl. No. 4 in the order portion of the said G.O. dated 20th November 1978.

By Order and in the name of the Governor of Karnataka,

S. M. RAMAHANUMIAH,
Under Secretary to Government,
Social Welfare and Labour Department.